

REMARKS

The Office Action dated September 26, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 31-32, 51-52, 62-64, and 73 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Support for the amendments may be found, for example, at paragraphs 0008, 0032, and 0047, the Abstract, and claim 1 (as originally filed). No new matter has been added and no new issues are raised which require further consideration or search. Therefore, claims 31-54 and 61-77 are currently pending in the application and are respectfully submitted for consideration.

Claim Rejections Under 35 U.S.C. § 112, First Paragraph

The Office Action rejected claims 31-32, 51, 62, and 64 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Office Action alleged that there is no support in the specification for the limitation “for establishing the communication group in the second communications network comprising user equipments,” as recited in claim 31. The Office Action made similar allegations with respect to claims 51, 62, and 64. The Office Action further alleged that there is no support in the specification for the limitation “sending, by the master user equipment, the information on the created group to all members of the group over a second communications network,” as recited in claim 32.

Applicants respectfully traverse this rejection. Applicants respectfully submit that the limitation “for establishing the communication group in the second communications network comprising user equipments,” as recited in claim 31, and similarly recited in claims 51, 62, and 64, does find support in the original disclosure of Applicants. For example, paragraph 0008 of the specification discloses that “the master user equipment sends the information on the created or modified group to the communications network or to the slave user equipments for establishing said group.” (See Specification at paragraph 0008, emphasis added). Furthermore, paragraph 0032 of the specification discloses that “if data is to be stored in the infrastructure, e.g. in a network other than WLAN network, the information on the created group is sent to the infra (step 5-12), e.g. to the second network for establishing said group.” (See Specification at paragraph 0032). Additionally, the Abstract discloses that “the master user equipment (UEA) creates the group based on the information received in responses from the at least one slave unit (UEB, UEC) and sends the information on the created group to the actual mobile communications network for establishing said group.” (See Specification at Abstract, emphasis added). Finally, the preamble of claim 1 as originally filed (which is part of the original disclosure) recites “a method of establishing a communications group in a communications network comprising user equipments.”

For at least these reasons, Applicants respectfully submit that the aforementioned limitation recited in claim 31, and similarly recited in claims 51, 62, and 64, does find support in the original disclosure of Applicants.

Furthermore, Applicants respectfully submit that claim 32 has been amended to delete the limitation “sending, by the master user equipment, the information on the created group to all members of the group over a second communications network,” and that the amendment effectively moots the rejection, with respect to claim 32.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

The Office Action rejected claim 73 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action alleged that there is insufficient antecedent basis for the limitation “the communications network,” as recited in claim 73.

Applicants respectfully submit that claim 73 has been amended to recite “the second communications network,” rather than “the communications network.” Furthermore, Applicants respectfully submit that said amendment effectively moots the rejection, as independent claim 64, which claim 73 depends upon, refers to “a second communications network.” Accordingly, Applicants respectfully request that the rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 102(a)

The Office Action rejected claims 31-43, 45-54, 61-73, and 76-77 under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent No. 7,002,942 (“Kotzin”).

As a threshold matter, Applicants respectfully submit that Kotzin is not a valid reference under 35 U.S.C. § 102(a). Specifically, 35 U.S.C. § 102(a) states that “a person shall be entitled to a patent unless ... the invention was ... patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent.” (35 U.S.C. § 102(a)). The present application is a national stage application of PCT application PCT/FI2003/000520, filed June 26, 2003, where the PCT application claimed prior of a Finish application 20022159, filed June 27, 2002. Accordingly, the present application has an effective filing date of June 27, 2002. In contrast, Kotzin has a patent date of February 21, 2006 (and the printed publication of Kotzin, U.S. Publication No. 2003/0026221 has a publication date of February 6, 2003). Thus, Applicants respectfully submit that Kotzin is not a valid reference under 35 U.S.C. § 102(a).

Furthermore, Applicants respectfully submit that said claims recite allowable subject matter for at least the following reasons.

Claim 31, upon which claims 33-50, 61, and 74, recites a method, which includes sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network, and receiving from the at least one slave user equipment a response comprising

information on a user for group establishment, over the first communications network. The method further includes creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment, and sending, by the master user equipment, the information on the created group to a group management server in a second communications network. The method further includes establishing the group communication in the second communication network.

Claim 32 recites a method, which includes sending a request for group establishment from a master user equipment to at least one slave user equipment over a first communications network, and receiving from the at least one slave user equipment over the first communications network a response comprising information on a user for group establishment. The method further includes creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment, and establishing the group communication in the second communication network.

Claim 51, upon which claims 53-54 are dependent, recites an apparatus, which includes means for sending a request for group establishment to at least one slave user equipment over a first communications network, and means for receiving from at least one slave user equipment over the first communications network a response comprising information on user for group establishment. The apparatus further includes means for

creating the group based on the information received in responses from the at least one slave user equipment, and means for sending the information on the created group to a group management server in a second communications network. The apparatus further includes means for establishing the group communication in the second communication network.

Claim 52 recites an apparatus, which includes means for sending a request for group establishment to at least one slave user equipment over a first communications network, and means for receiving from at least one slave user equipment over the first communications network a response comprising information on a user for group establishment. The apparatus further includes means for creating the group based on the information received in responses from the at least one slave user equipment, and means for sending the information on the created group to all members of the group via the first communications network. The apparatus further includes means for establishing the group communication in the second communication network.

Claim 62, upon which claims 75-77 are dependent, recites an apparatus, which includes a first transceiver configured to send a request for group establishment to at least one slave user equipment over a first communications network, and a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on user for group establishment. The apparatus further includes a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment, and a second transceiver

configured to send the information on the created group to a group management server in a second communications network. The apparatus is configured to establish the group communication in the second communication network.

Claim 63 recites an apparatus, which includes a first transceiver configured to send a request for group establishment to at least one slave user equipment over a first communications network, and a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on a user for group establishment. The apparatus further includes a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment, and a second transceiver configured to send the information on the created group to all members of the group via the first communications network. The apparatus is configured to establish the group communication in the second communication network.

Claim 64, upon which claims 65-73 are dependent, recites a computer program embodied on a computer readable medium for controlling a computer to perform a method. The method includes sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network, and receiving from the at least one slave user equipment a response comprising information on a user for group establishment, over the first communications network. The method further includes creating, by the master user equipment, the group based on the information received in responses from the at least one

slave user equipment, the group comprising the master user equipment and the at least one slave user equipment, and sending, by the master user equipment, the information on the created group to a group management server in a second communications network. The method further includes establishing the group communication in the second communication network.

As will be discussed below, Kotzin fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above.

Kotzin generally discloses a method and apparatus which splits information into subsets of information to be communicated for a wireless apparatus. The split information is transmitted to a plurality of proximal wireless units. The plurality of proximal wireless units convey at least some of the transmitted split information to a destination wireless apparatus. The splitting operation is used in both uplink and downlink communications. (See Kotzin at Abstract).

Applicants respectfully submit that Kotzin fails to disclose, teach, or suggest, all of the elements of the present claims. For example, Kotzin fails to disclose, teach, or suggest, at least, “*establishing the group communication in the second communication network*,” as recited in independent claim 31, and similarly recited in independent claims 32, 51-52, 62-64.

With respect to Kotzin, Figure 1 shows that different wireless units (e.g. 106A, 106B, 106D, 106N) communicate with each other and Figure 5 shows that different units (e.g. Unit 1, Unit 2, Unit 3, Unit 4, and Unit N) participate in a group communication.

However, Kotzin fails to disclose, or suggest, how the group is established and how it is used via a second network. For example, in Figure 5, there is no group communication between Unit 1, Unit 2, Unit 3, Unit 4, and Unit N in the WAN network. Steps 512b and 512d only show that in response to [partial bandwidth] requests each of the proximal wireless units communicate via a control message, with the wide area network receiving the portion of the bandwidth of the communication that is destined for the wireless apparatus 106a. (See Kotzin at col. 9, line 60 – col. 10, line 27). Although Figure 5 is a diagram illustrating messaging between a wide area network and proximal units within a local area unit, no group communication is used via the second mobile communications network, and no establishment of the group communication in the second communication is shown in Kotzin.

Therefore, for at least the reasons discussed above, Kotzin fails to disclose, teach, or suggest, all of the elements of independent claims 31-32, 41-52, and 62-64. For the reasons stated above, Applicants respectfully request that this rejection be withdrawn.

Claims 33-43, 45-50, and 61 depend upon independent claim 31. Claims 53-54 depend upon independent claim 51. Claims 65-73 depend upon independent claim 62. Claims 76-77 depend upon independent claim 64. Thus, Applicants respectfully submit that claims 33-43, 45-50, 53-54, 61, 65-73, and 76-77 should be allowed for at least their dependence upon independent claims 31, 51, 62, and 64, and for the specific elements recited therein.

Claim Rejections Under 35 U.S.C. § 103(a)

The Office Action rejected claim 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kotzin, in view of U.S. Publication No. 2002/0034959 (“Jamieson”). The Office Action took the position that Kotzin discloses all the elements of the claims with the exception of “the identification is an MSISDN number.” The Office Action then cited Jamieson as allegedly curing the deficiencies of Kotzin. Applicants respectfully submit that said claims recite allowable subject matter for at least the following reasons.

The description of Kotzin, as discussed above, is incorporated herein. Jamieson generally discloses a method of transferring data signals between a primary station and secondary stations of a master/slave radio network. The primary station assigns the secondary stations to a plurality of categories. The primary station transmits beacon signals containing indications of those categories. A secondary station receives the beacon signals and determines if there is an indication of its category in a received beacon signal. If so, it transmits a request including an indication of its identity. The primary station checks to see if it has a data packet for the identified second station. If it has, it transmits the data packet. If not, it transmits a negative acknowledgment. (See Jamieson at Abstract).

Claim 44 depend upon independent claim 31. As discussed above, Kotzin does not disclose, teach, or suggest all of the elements of independent claim 31. Furthermore, Jamieson does not cure the deficiencies in Kotzin, as Jamieson also does not disclose, teach, or suggest, at least, *“establishing the group communication in the second*

communication network,” as recited in independent claim 31. Thus, the combination of Kotzin and Jamieson does not disclose, teach, or suggest all of the elements of claims 44. Additionally, claim 44 should be allowed for at least its dependence upon independent claim 31, and for the specific elements recited therein.

The Office Action rejected claims 74-75 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kotzin, in view of U.S. Patent No. 7,248,677 (“Randall”). The Office Action took the position that Kotzin discloses all the elements of the claims with the exception of “wherein the group management server is for one of presence and instant messaging.” The Office Action then cited Randall as allegedly curing the deficiencies of Kotzin. Applicants respectfully submit that said claims recite allowable subject matter for at least the following reasons.

The description of Kotzin, as discussed above, is incorporated herein. Randall discloses a mobile telephone which can supply “pre-answer” information which the device owner considers of relevance to a potential call recipient, such as information about the subject of an intended voice call, a mood, a current activity, etc. (See Randall at Abstract).

Claims 74-75 depend upon independent claims 31 and 62, respectively. As discussed above, Kotzin does not disclose, teach, or suggest all of the elements of independent claims 31 and 62. Furthermore, Randall does not cure the deficiencies in Kotzin, as Randall also does not disclose, teach, or suggest, at least, “*establishing the group communication in the second communication network*,” as recited in independent

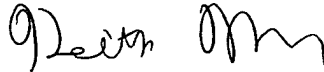
claim 31, and similarly recite in independent claim 62. Thus, the combination of Kotzin and Randall does not disclose, teach, or suggest all of the elements of claims 74-75. Additionally, claims 74-75 should be allowed for at least their dependence upon independent claims 31 and 62, respectively, and for the specific elements recited therein.

For at least the reasons discussed above, Applicants respectfully submit that the cited prior art references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 31-54 and 61-77 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time
Check No. 20313 (\$130.00)